

DETAILED ACTION
EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard G. Lione (Reg#19,795) on 06/04/2008.

IN THE CLAIMS

Please amend the claims:

18. (Previously Presented) A catheter for delivering fluid into, or aspirating fluid out of, a body cavity or cavities, comprising:

a) a multiple lumen tube containing at least first and second lumens and having a proximal end and a distal end, said tube containing a septum separating said first and second lumens, said tube being formed so that said first lumen is shorter than said second lumen at said distal end whereby said second lumen opens and said septum terminates at a predetermined distance from where said first lumen opens at said distal end of said multiple lumen tube;

b) a first bolus having a nose end and a connector end and an axial passage therethrough;

c) said first bolus being formed independently of said multiple lumen tube and said distal end of said multiple lumen tube being seated in said axial passage at said connector end of said first bolus;

d) only a single lumen catheter tube separate from said multiple lumen tube and seated in said axial passage of said first bolus at its nose end, said single lumen tube extending from a proximal end to a distal end and a port in said distal end; and

e) a second bolus on the distal end of said single lumen catheter tube;

f) said port in said distal end of said single lumen tube being formed in the side of said second bolus.

Allowable Subject Matter

Claims 18-19, 24-25 and 33-34 are allowed over the prior art of record as filed in the 04/04/2008 reply and as amended in this office action.

The following is an examiner's statement of reasons for allowance: The claims in this application have been allowed because the prior art of record fails to disclose either singly or in combination the claimed device of an enteral feeding catheter that provides multi-area access for suction and aspiration with a gastric and jejunal lumen that are separated by a septum and are both coupled to an intermediate connector bolus ending at different points; the jejunal lumen is further connected to the intermediate connector bolus to a final distal end bolus with an opening for guidewire guidance and to prevent port obstruction.

The closest prior art of record is Cruz et al. (USPN5,571,093), however these references do not disclose the invention as claimed or described above.

Regarding claims 18 and 24, the closest prior art of record fails to teach among all the limitations or render obvious the gastric/jejunal intermediate connector bolus and the connection point with the gastric and jejunal lumens of the catheter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher D. Koharski whose telephone number is 571-272-7230. The examiner can normally be reached on 7:30am to 4:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3763

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Date: 6/10/2008

/Christopher D Koharski/
Examiner, Art Unit 3763

/Nicholas D Lucchesi/
Supervisory Patent Examiner, Art Unit 3763